

**Introduced by Senator Ashburn**

February 19, 2008

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An act to add Section 21100.1 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1276, as introduced, Ashburn. Vandalia Irrigation District.

Under the Irrigation District Law, a director of a district formed pursuant to that law is generally required to be a voter, landowner of the district, and a resident within the division which the director represents.

This bill would authorize the directors of the Vandalia Irrigation District to adopt a resolution that authorizes a person who meets only the landowner requirement to be a director in those districts. The bill would authorize the registered voters in those districts to request, in writing, that all of the directors who are appointed or elected subsequent to the receipt of the request be required to meet the requirements of existing law. The bill would require all the directors who are appointed or elected subsequent to the receipt of the request to meet the requirements of existing law if the directors determine that at least 25% of the registered voters have signed the request.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 21100.1 is added to the Water Code, to read:

21100.1. (a) This section applies to the Vandalia Irrigation District.

(b) Notwithstanding Section 21100, the board of directors of the district may adopt a resolution that authorizes a person who meets only the landownership requirement of Section 21100 to be a director of the district.

(c) Notwithstanding the adoption of a resolution pursuant to subdivision (b), the registered voters in the district may request, in writing, that all of the directors who are appointed or elected subsequent to the receipt of the request be required to meet all of the requirements of Section 21100. The request shall be submitted to the directors.

(d) If the directors determine that at least 25 percent of the registered voters in the district have signed the request submitted pursuant to subdivision (c), all of the directors who are appointed or elected subsequent to the receipt of the request shall meet all of the requirements of Section 21100.

SEC. 2. The Legislature finds and declares that this act, which is applicable only to the Vandalia Irrigation District, is necessary because a substantial portion of the land included within the district is owned by persons not residing within the district who are concerned with the affairs and support of the district. It is, therefore, hereby declared that a general law cannot be made applicable to those districts in accordance with Section 16 of Article IV of the California Constitution, and that the enactment of the special law is necessary for the solution of problems existing within those districts.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the changes affecting the qualifications of the directors of the Vandalia Irrigation District may take effect at the

- 1 earliest possible date, it is necessary that this act take effect
- 2 immediately.

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